APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/909,042	07/19/2001	Kenichiro Matsuura	B588-021	8469

26272 7590 12/04/2006	EXAMINER	
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1133 AVE OF THE AMERICAS	ART UNIT	PAPER NUMBER
NEW YORK, NY 10036	2142	

DATE MAILED: 12/04/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	09/909,042	MATSUURA ET AL.
	Examiner	Art Unit
	Prieto B.	2142

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>25 September 2006</u>.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>*105-116*</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>*105-116*</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on <u>*19 July 2001*</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☒ All   b)☐ Some *   c)☐ None of:

        1.☒ Certified copies of the priority documents have been received.

        2.☐ Certified copies of the priority documents have been received in Application No. _____.

        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date <u>*8/06*</u>

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

1.   This communication is in response to Amendment filed under 37 CFR 1.111, CLAIMS 105-116 remain pending.

2.   Acknowledgment is made to claim priority under 35 USC §119 for the benefit of the earlier filing date with respect to Japanese Patent Application No. 2000-222814 filed July 24, 2000. A certified copy of the application has been received and placed in file.

3.   Claims terminology has been applied the broadest reasonable interpretation in light of the specification (see MPEP 2111/2106). In this case, the claimed terms are to be given their ordinary and customary meaning by clearly setting forth a definition of the term unless the applicant provides an explicit definition for a term, in which case that definition will control interpretation of the term as it is used in the claim. Specifically, the claimed term(s)/clause(s): (i) "abstract" has been interpreted as information that has been summarized or condense form; (ii) "not presentable" at the target terminal has been interpreted as information not being able to be shown, viewed or rendered; (iii) "the forwarding terminal" broadly, speaking is a storage device (e.g. a server) associated with respective conversion module, the server accessible by the target terminal, i.e. recipient (p. 12, line 25 to p. 13, line 25, and p. 16, line 6-27).

       Claims 105-116 claimed terms reciting a "reception unit", "generation unit", "first sending unit", "second sending unit", and "determination unit" seem to lack explicit antecedent basis in view of the specification, the broadest reasonable interpretation inlight of the specification will be applied to these claimed terms.

       Claim clause "search for a generation device appropriate for the document file based on an extension of the document file", particularly the claimed term "generation device" seems to lack antecedent basis in the specification.   However, the disclosure does seem to describe performing a search, specifically, a search for an appropriate conversion module for converting this image into a JPEG image (step S333).   If an appropriate conversion module is found, whether price in the conversion module table 706f is set to 0 (zero) is determined (step S334) [see par 0124]. The broadest reasonable interpretation inlight of the disclosure will be applied

(see MPEP 2111/2106), in this case, seek, look for, examine, inquire for, i.e. "search" for a module "generation device" for the document file based on the format, i.e. file extension.

Claim term "WEB format" has been reviewed for a corresponding explicit and deliberate definition, which controls the interpretation, however, none found. Broadest reasonable interpretation inlight of the specification will be applied (MPEP §2111/2106)

Claim Rejection under 35 USC 112

4.   The following is a quotation of the first paragraph of 35 U.S.C. 112:

> The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

5.   Claims 105 and 110 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter, which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. In this case, written description has been reviewed for description of "a summarization of a document" but none has been found therein. In accordance with MPEP §608.01(o) Basis for Claim Terminology in Description: The meaning of every term used in any of the claims should be apparent from the descriptive portion of the specification with clear disclosure as to its import; and in mechanical cases, it should be identified in the descriptive portion of the specification by reference to the drawing, designating the part or parts therein to which the term applies. A term used in the claims may be given a special meaning in the description (see MPEP § 2111.01 and § 2173.05(a)).

According to the invention's disclosure: [0115] When the check box 645 in FIG. 21 is turned on, the *maximum number of displayable characters* at a portable terminal specified by the portable terminal model number in FIG. 10 is checked by looking up the portable terminal performance table 706g. *When the mail text exceeds the maximum number of displayable characters, the abstract of the mail text is prepared and sent.* When the check box 646 in FIG. 21 is turned on, image *format and size which can be represented at a portable terminal*

specified by the portable terminal model number in FIG. 10 is checked by looking up the portable terminal performance table 706g. The image attached to the mail is *converted into this format*, and the converted image is sent. Similarly, when the check box 647 in FIG. 21 is turned on, the abstract of the word processor document is displayed following the mail text. When the mail is uploaded to the Web server or the word processor document is sent to the FAX machine, mail representing this is sent.

[0128] FIGS. 26A and 26B are flow charts for preparing display data on a portable terminal. The *maximum number of displayable characters of the portable terminal* specified by the portable terminal model number in FIG. 10 is checked by looking up the portable terminal performance table 706g to *determine whether the mail text exceeds the maximum number of displayable characters (step S351). If the number of characters of the mail text is larger than the maximum number of displayable characters, whether the abstract of the mail text is prepared* is determined in accordance with the user conversion setting table 706e (step S352). If YES in step S352, the abstract of the mail text is prepared by a conversion module (step S353). If settings represent that no abstract is prepared, a character string is cut by a conversion module for cutting part of the character string so as to fit the cut character string within the maximum number of displayable characters (step S354).

The claimed term "abstract" or "summarization" fails to have an explicit and deliberate controlling definition, thus the broadest reasonable interpretation will be applied in light of the specification (see MPEP §2111/2106). According to at least the cited portions above, the operation described with respect to the claimed term "abstract", seems to refer to a change (i.e. reduction) to a format and size which can be presented at the portable terminal, such as when the number of characters of the mail text exceed the number of displayable characters (see claim 109). Hence, applicant's attempt to substitute the previously claimed term "abstract" to "summarization", expressively with the intention to overcome the prior art with the argument that "summarization" is not equivalent to "condense" or "compress" seems inconsistent with the operation described in the written disclosure.

Claim Rejection under 35 U.S.C. 103

6.   Quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action may be found in previous office action.

7.   **Claim 105 is rejected under 35 USC 103(a) as being unpatentable over SHAFFER et. al. (US 6,092,114) Shaffer hereafter in view of KUDROLLI et. al. (US 6,279,018) Kudrolli hereafter**

Regarding claim 105, Shaffer teach an apparatus comprising:

reception unit/means (12) for receiving electronic mail data (e.g. a message) addressed to a user (col 3/lines 63-col 4/line 4, step 40 of Fig. 2, col 6/lines 6-18 and col 8/lines 35-41) at a target terminal (col 5/lines 51-55);

determination unit/means (12) for determining whether the document file is attached to the electronic mail data and whether its format is presentable at the target terminal or conversion is required (steps 40-48 of Fig. 2, col 6/lines 54-65, col 1/lines 55-col 2/line 3);

conversion means (12) for converting the attachment into another format ("web format") (step 52 of Fig. 2, col 6/line 66-col 7/line 6); and

sending unit/means (12) for transmitting the converted document to a terminal "external output terminal") (step 52 and 48 of Fig. 2); however Shaffer doe not teach creating a summarization of the document file, where summarization comprises reducing the mail data characters when the mail data characters exceeds the *maximum number of displayable characters.*

Kudrolli teaches reducing the number of characters of a message in accordance to the number of characters presentable at a terminal, including deletion (cut) of character strings (vowels) from words (col 2/lines 20-36) of any addressable text (see column 3/lines 56-63 thus applicable to documents having text and/or email messages having text);

deleting/truncating character strings including one or more alphabets characters, words or text (col 4/lines 18-19, 25, col 7/lines 56-col 8/line 38); truncating until a desired output length is reached (col 20/lines 43-53);

abbreviating text to a predetermined length (col 5/lines 59-col 6/line 6, screen sizes (col 9/lines 53-67) based on the number of characters presentable on the screen (OtptL) (col 53/line 30-55, 65-67, number of characters presentable and file to be abbreviated see col 18/lines 42-50).

It would have been obvious at the time the invention was made given the suggestion of Shaffer for sending information from a sending client device or from a server to another server (e.g. email/ISP servers) that supports a receiving computer or recipient client device at which the receiving party accesses/downloads send message, performing conversion on the server(s)/client(s), particularly where the clients devices may be any device including wireless device, as suggested by Shaffer. Thus delivering information to the client devices in accordance to the client's device capability including detecting attachments of email messages and processing (including storing in a format) to make available to the recipients device according to its capabilities and send the email messages to the recipients. One would be motivated to further utilize Kudrolli's teaching to further make the email messages and/or document files themselves compatible and displayable in the recipients device, particularly need in portable/wireless device. The combined teachings would allow receiving emails with attachment, sending to attachment for conversion/storage according to the destination if needed and sending a reduced character email message or the attached document file when and if needed to the recipient. The teachings of Kudrolli to information cope with display space constraints, typical in wireless device would be readily apparent. Given the teachings of Schaffer for storing information indicating of the presentation abilities identifying all of the access capabilities of the client devices that are used to access information presentable at the forwarding terminal. It would be readily apparent to one ordinary skill to store the number of characters presentable at the forwarding terminal comprising local/remote servers discussed by Schaffer or any equivalent storage device suggested thereon. One ordinary skilled would be motivated to accommodate information by reduction of characters capability to the available display space associated with the target terminal, thus overcome the display unit constraints, noted by Kudrolli (col 4/lines 1-4) in Shaffer's system suitable for wireless devices which also converts email attachments to a format displayable on the wireless device.

8.   **Claims 105, 108 and 113 are rejected under 35 USC 103(a) as being unpatentable over Fields, D.K., et. al. (EP 1 058 199 A2) referred to as Fields hereafter in view of SHAFFER et. al. (US 6,092,114) Shaffer hereafter**

Regarding claim 105, Fields discloses a computer implemented method [0024, 0036], the method comprising:

determine whether a document file is attached to electronic mail data by parsing [0011 and/or 0025 or scanning 0013] the electronic mail data received by said reception unit [0012, server 0016, and/or checking for receipt 0025];

a generation unit [0016] adapted to, when said determination unit determines that a document file is attached, removing or stripping the document file attachment and generating text string data representing an "abstract" of a document indicated by the document file [0011, 0013], wherein abstract comprising a compressed version of the attached document file [0026];

a first sending unit [0016] adapted to send the document file attached to the electronic mail data received by said reception unit to a first storage "Web server" [0011] first storage including an accessible store 35 or a web server, i.e. "external output terminal" [0023], although Fields does not explicitly utilized claimed nomenclature, specifically with respect to the term "abstract", although a specific deliberate definition has been made in the disclosure, the claimed term has been interpreted light of the specification of the invention and applied the broadest reasonable interpretation. In this case, abstract has been interpret as summarized or condensed form, this does not exclude the compressed version disclosed by the reference thus has been treated as a functional equivalent. One would be motivated to applied the teachings of Fields because in doing so the communication terminal may selectively obtain the file attached to the electronic mail data, as suggested by Fields. However, Fields does not explicit teach converting by a unit said document file.

Shaffer teaches a conversion unit (12) having conversion means (12) for converting the transmission information to be presentable at the forwarding terminal (step 52 of Fig. 2, col 6/line 66-col 7/line 6, abstract, col 2/lines 30-45, step 50 deciding where the conversion can be made, col 7/lines 12-15) including determination means (12) for determining whether the transmission information is presentable at the target terminal or conversion is required (step 48 of Fig. 2, col 6/lines 54-65, col 1/lines 55-col 2/line 3);

Schaffer teaches conversion means for converting into an appropriate format for representation at the forwarding terminal, which convert the transmission information in a format suitable for display by the recipient destination terminal (col 2/lines 30-65, col 8/lines 35-69), including text messages having attachments of different formats (col 1/lines 15-19); transmission information including email attachment documents such as video files or graphic files or a

multimedia presentation (column 5, lines 56-64), where the file format conversion is executed using known techniques to change an attachment from one file format to another (column 7, lines 12-15).

It would have been obvious at the time the invention was made given the suggestion of Shaffer for performing conversion on the server(s)/client(s), where the clients devices may be any device including wireless device. One of ordinary skill in the art would be motivated to provide the Fields system with this capability particularly using conventional methodology, for converting document files formats such as video, graphic or multimedia files, this conversion being performed at either the sender, receiver or externally therefrom, and thus independently from the existing operations of the Fields system.

9.   Claims 106-107, 110-112, 115-116 are rejected under 35 USC 103(a) a being unpatentable over Fields-Shaffer as applied on claim 105 in view of Kucmerowski (US 2001/0013871).

Regarding claim 106, Fields teaches where the communication terminal (10a-10n) includes a personal computer, notebook, Internet appliance, or computing device [Fields: 0021] or any computer or component connectable to the Internet [Fields: 0038] however Fields does not explicitly teach where the communication terminal comprises a portable telephone.

Kucmerowski teaches where the communication terminal includes a wireless/cordless i.e. 'portable" telephone [see par 0012];

a reception unit (6) adapted to receive "electronic mail" data [0012 on p. 2];

determining the number of characters of the received data for displaying the received data and determining the number of characters displayable on the display associated with the communication terminal [0012 on p. 2] and

determining that the character string to be displayed is equal to, less or greater than the characters displayable on a display [0015-0016 & 0022].

It would have been obvious at the time the invention was made to one of ordinary skilled in the art to combine the teachings of Schaffer generating second information from transmission information when determined that the recipient display is not capable of displaying transmission

information with the teachings of Kucmerowski for distributing information to a plurality of displays in accordance to the display capabilities would be readily apparent. One would further be motivated to utilize the teachings of Kucmerowski for transmitting information in accordance with the capabilities of the receiving display, specifically displaying information having a predetermined length on a display having different capabilities, such as the when the total characters of a message exceeds the amount of characters displayable on a particular display. One would be motivate to combine these teachings because in doing so it enables devices, e.g. having a smaller size/length that the message to be transmitted to be displayed.

Regarding claim 107, said second sending unit is operable to send information indicating that the document file attached to the electronic mail data have been sent to the web server by said first sending unit [Fields: 0033]

Regarding claim 108, however the above-mentioned prior art does not explicitly disclose searching for a module appropriate for the document file based on an extension of the document file.

Shaffer teaches reception means (12) for receiving "electronic mail" data (col 3/lines 63-col 4/line 4, step 40 of Fig. 2, col 6/lines 6-18 and col 8/lines 35-41);

determine the file format of an document file attached to the received electronic mail data based on the file extension of the document file (column 2, lines 43-65);

lookup for a module based on the file extension of the document file and determining if the module is available on the intended electronic mail data recipient's communication terminal (column 2, lines 43-65); and converting the document file to be presentable at the communication terminal using the identified module based on the attachment file extension (step 52 of Fig. 2, col 6/line 66-col 7/line 6).

It would have been obvious at the time the invention was made given the suggestion Fields for determine whether a document file is attached to electronic mail data and modifying the electronic mail data in a form presentable to a wireless/portable intended recipient to include the teachings of Schaffer. Because in doing so the electronic mail data could further be modified

based on the file extension, as suggested by Schaffer, enabling modification of the document file at the server or recipient's device.

10.   Claims 109 & 114 are rejected under 35 USC 103(a) a being unpatentable over Fields-Schaffer in view of Kucmerowski in further view of Batchelder et. al. (US 5,691,708) (Batchelder hereafter)

Regarding claim 109, a second determination unit adapted to determine whether the number of characters of mail text of the electronic mail data exceeds the number of displayable characters of the communication terminal [Kucmerowski: [0015-0016 & 0022]; however the above mentioned prior art does not explicitly teach determining that the number of characters of the mail text exceeds the number of displayable characters.

Batchelder teaches 10, a unit (50) adapted to determine whether the number of characters of a text message exceeds the number of displayable characters of the recipient's communication terminal; where when the number of characters of the message text exceeds the number of displayable characters, generate abstract of the message text, and sending the abstract of the message text generated to the communication terminal (column 1, lines 10-63 and column 2, line 58-column 3, line 13); wherein the text message comprises electronic mail (column 3, lines 14-30, 60-67) and the abstract comprises abstracted text (column 3, lines 2-4) or abstraction of the electronic mail message (column 3, lines 60-67).

It would have been obvious to one of ordinary skill in the art at the time the invention given the suggestion of Fields for processing electronic mail message to a format suitable for the intended recipient communication terminal to include the teachings of Batchelder for abstracting text message for enabling these messages to be displayed without leaving off the end of the message, omitting critical information or not displaying the message at all as in the prior art, discussed by Batchelder.

Regarding claim 110, "information providing method", comprising each of the steps for each of the units in claim 105, namely, the reception, determination, generation first sending, and second sending units as described on claim 105, each adapted to perform respective functions claimed thereon, thus same rationale for the respective, reception step associated with the reception unit,

the determination step associated with the determination unit, the generation step associated with the generation unit, the first sending step associated with the first sending unit and the second step associated with the second sending unit, same rationale of rejection is applicable.

Regarding claims 111-113, these claims are substantially the same as claims 106-108, same rationale of rejection is applicable.

Regarding claim 114, this claim is substantially the same as claim 109, same rationale of rejection is applicable.

Regarding claims 115-116, a computer program stored on a computer readable medium that when executed on a computer causing a computer to execute the information providing method of claim 110 (Fields: 0024, 0036).

Response to Arguments

11.   Regarding claim 105 rejected under 35 USC 103(a) as being unpatentable over Fields, it is argued that substituting the claimed term "abstract" for "summarization" would over come the prior art of record because summarization cannot be equated to condense.

        In response to the above-mentioned argument, applicant's interpretation of the claimed terminology has been fully considered. However, for the reasons stated above, applicant's selection of terminology must have antecedent basis in the written disclosure and in accordance therewith. The detail description of the invention is a dictionary for the claims and should provide clear support or antecedent basis for all terms used in the claims. See 37 CFR 1.75, MPEP § 608.01(i), § 608.01(o), §1302.01. and MPEP 2111.01(III)).

12.   Regarding claim 105 rejected under 35 USC 103(a) as being unpatentable over Fields, it is argued that the reference does not teach converting the document attached to the email into "WEB format".

        In response to the above-mentioned argument, applicant's interpretation of the applied prior art is noted. The specifications have been reviewed to ensure that an adequate interpretation to the claimed term "WEB format" is applied. Applicant is entitled to be his or her own lexicographer and may rebut the presumption that claim terms are to be given their ordinary and customary meaning by clearly setting

forth a definition of the term that is different from its ordinary and customary meaning. See In re Paulsen, 30 F.3d 1475, 1480, 31 USPQ2d 1671, 1674 (Fed. Cir. 1994) and Vitronics Corp. v. Conceptronic Inc., 90 F.3d 1576, 1582, 39 USPQ2d 1573, 1576 (Fed. Cir. 1996). (see MPEP 2106). An inventor may define specific terms used to describe invention, but must do so *"with reasonable clarity, deliberateness, and precision"* and, if done, must "set out his uncommon definition in some manner within the patent disclosure' so as to give one of ordinary skill in the art notice of the change" in meaning (see MPEP 2111.01(III)). However, in absence of an express intent to impart a novel meaning to the claim terms, the words are presumed to take on the ordinary and customary meanings attributed to them by those of ordinary skill in the art.

There seems to be no deliberate and controlling definition to the claimed term "WEB format" Since there was no definition given for this term in the specification, the term should be given its broadest reasonable interpretation and take on the ordinary and customary meaning attributed to it by those of ordinary skill in the art, E-Pass Technologies, Inc. v. 3Com Corporation, 343 F.3d 1364, 1368, 67 USPQ2d 1947, 1949 (Fed. Cir. 2003). In this case, the claim term "WEB format" has been applied the broadest reasonable interpretation inlight of the specification, will be interpreted as format conversion. The above-mentioned prior teaches the added limitation as claimed (see rejection).

13.   Applicant's arguments have been carefully reviewed but not found persuasive.

14.   Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL.** See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

.   A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

15.   Reply to a final rejection or action must include cancellation of, or appeal from the rejection of, each rejected claim. If any claim stands allowed, the reply to a final rejection or action must comply with

any requirements or objections as to form (see 1.113). If prosecution in an application is closed, an applicant may request continued examination of the application by filing a submission and the fee set forth in § 1.17(e) prior to the earliest of: (c) A submission as used in this section includes, but is not limited to, an information disclosure statement, an amendment to the written description, claims, or drawings, new arguments, or new evidence in support of patentability. If reply to an Office action under 35 USC 132 is outstanding, the submission must meet the reply requirements of § 1.111 (see MPEP 706.07).

16.   An amendment filed after final rejection is not entered as a matter of right and must be filed in compliance with 37 CFR 1.116 or 1.312, respectively (see MPEP 201). An amendment that will place the application either in condition for allowance or in better form for appeal may be admitted. Amendments complying with objections or requirements as to form are to be permitted after final action in accordance with 37 CFR 1.116(a) (see MPEP 706.07(e)) may also be admitted. Except where an amendment merely cancels claims, adopts examiner suggestions, removes issues for appeal, or in some other way requires only a cursory review by the examiner, compliance with the requirement of a showing under 37 CFR 1.116(c) is expected in all amendments after final rejection (see MPEP 714.13). An amendment filed at any time after final rejection, but before an appeal brief is filed, may be entered upon or after filing of an appeal brief provided the total effect of the amendment is to (A) remove issues for appeal, and/or (B) adopt examiner suggestions (MPEP 714.13 see also MPEP § 1207 and § 1211).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Prieto, B. whose telephone number is (571) 272-3902. The Examiner can normally be reached on Monday-Thursday from 5:30 to 2:00 p.m. If attempts to reach the examiner by telephone are unsuccessful, the Examiner's Supervisor, Andrew T. Caldwell can be reached at (571) 272-3868. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3800/4700.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system, status information for published application may be obtained from either Private or Public PAIR, for unpublished application Private PAIR only (see http://pair-direct.uspto.gov or the Electronic Business Center at 866-217-9197 (toll-free).

Any response to this action should be mailed to:
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           Alexandria, VA 22314

· Faxed to the Central Fax Office:
           (571) 273-8300 (New Central Fax No.)

Or Telephone:

           (571) 272-2100 for TC 2100 Customer Service Office.

BEATRIZ PRIETO
PRIMARY EXAMINER

B. Prieto
Primary Examiner
TC 2100
November 29, 2006